United Nations A/C.3/54/L.95

General Assembly

Distr.: Limited
17 November 1999

Original: English

Fifty-fourth session
Third Committee
Agenda item 111
Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Andorra, Angola, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bolivia, Botswana, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Eritrea, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kenya, Liberia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Mexico, Monaco, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, San Marino, Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Zambia and Zimbabwe: draft resolution

Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of her Office[1] and the report and conclusions of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fiftieth session,[2]

Recalling its resolution 53/125 of 9 December 1998,

Commending the High Commissioner and her staff for the competent, courageous and dedicated manner in which they discharge their responsibilities, paying tribute to those staff members whose lives have been endangered in the course of their duties, and deploring the

[1] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 12* (A/54/12).
[2] Ibid., *Supplement No. 12 A* (A/54/12/Add.1).

99-35218 (E) 171199

injuries and deaths of staff members as a consequence of generalized as well as targeted violence,

Commending States which have successfully implemented durable solutions,

1. *Endorses* the report and conclusions of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fiftieth session;[2]

2. *Strongly reaffirms* the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the United Nations High Commissioner for Refugees of providing international protection to refugees and seeking permanent solutions to the problem of refugees, and reiterates the need for Governments to continue to facilitate the effective exercise of this function;

3. *Reaffirms* the fundamental importance of the 1951 Convention[3] and the 1967 Protocol[4] relating to the Status of Refugees, in particular their implementation in a manner fully compatible with the object and purpose of those instruments, notes with satisfaction that one hundred and thirty-nine States are now parties to one or both instruments, and encourages the Office of the High Commissioner and States to strengthen their efforts to promote broader accessions to these instruments and their full implementation;

4. *Notes* that the fiftieth anniversary of the Geneva Conventions of 12 August 1949 for the protection of victims of war is being commemorated this year, and calls on States and other parties to armed conflicts scrupulously to observe international humanitarian law;

5. *Notes* that the thirtieth anniversary of the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa[5] is also being commemorated this year, and acknowledges the contribution made by this Convention to the development of regional standards for the protection of refugees;

6. *Reaffirms* that, as set out in article 14 of the Universal Declaration of Human Rights,[6] everyone has the right to seek and enjoy in other countries asylum from persecution, and calls on all States to refrain from taking measures that jeopardize the institution of asylum, in particular by returning or expelling refugees or asylum-seekers contrary to international standards;

7. *Emphasizes* that refugee protection is primarily the responsibility of States, whose full and effective cooperation, action and political resolve are required to enable the Office of the High Commissioner to fulfil its mandated functions, and calls on States, the Office of the High Commissioner and all interested parties to turn concentrated attention towards revitalizing old partnerships and building new ones in support of the international refugee protection system;

8. *Stresses* the importance of international solidarity and burden-sharing in reinforcing the international protection of refugees, urges all States and relevant non-governmental and other organizations, in conjunction with the Office of the High Commissioner, to cooperate and mobilize resources with a view to reducing the burden borne by States, particularly developing countries, that have received large numbers of asylum-seekers and refugees, and calls on the Office of the High Commissioner to continue to play its catalytic role to mobilize assistance from the international community to address the

---

[3] United Nations, *Treaty Series*, vol. 189, No. 2545.

[4] Ibid., vol. 606, No. 8791.

[5] Ibid., vol. 1001, No. 14691.

[6] Resolution 217 A (III).

economic, environmental and social impact of large-scale refugee populations, especially in developing countries;

9. *Condemns* all acts that pose a threat to the personal security and well-being of refugees and asylum-seekers, such as refoulement, unlawful expulsion and physical attacks, and calls upon all States of refuge, in cooperation with international organizations where appropriate, to take all necessary measures to ensure respect for the principles of refugee protection, including the humane treatment of asylum-seekers;

10. *Remains* gravely preoccupied with the continuing occurrence of military or armed attacks and other threats to the security of refugees, including the infiltration of armed elements into refugee camps, notes in this context that the issue of protection for humanitarian assistance to refugees and others in conflict situations has been debated in the Security Council, and urges States to assume their responsibility, working, where appropriate, with the Office of the High Commissioner and other parts of the United Nations system, to uphold the civilian and humanitarian character of refugee camps and settlements, to identify and separate armed elements from refugee populations, to settle refugees in secure locations and to afford to the Office of the High Commissioner and other appropriate humanitarian organizations prompt, unhindered and safe access to asylum-seekers, refugees and other persons of concern;

11. *Welcomes* the coming into force of the Convention on the Safety of United Nations and Associated Personnel[7] as well as consideration of initiatives to widen its *ratione persona*, and calls upon States and all concerned parties to take all possible measures to safeguard the physical security and property of the staff of the Office of the High Commissioner and other humanitarian personnel, to investigate fully any crime committed against them and to bring to justice persons responsible for such crimes;

12. *Urges* all States and relevant organizations to support the High Commissioner's search for durable solutions to refugee problems, including voluntary repatriation, local integration and resettlement in a third country, as appropriate, reaffirms that voluntary repatriation is the preferred solution to refugee problems, and calls upon countries of origin, countries of asylum, the Office of the High Commissioner and the international community to act in a spirit of partnership to enable refugees to exercise their right to return home in safety and with dignity;

13. *Calls upon* all States to promote conditions conducive to the voluntary repatriation of refugees in safety and with dignity, including conditions furthering reconciliation and long-term development in countries of return, and to support the sustainable reintegration of returnees by providing countries of origin with necessary rehabilitation and development assistance in conjunction, as appropriate, with the Office of the High Commissioner and relevant development agencies, and urges the Office of the High Commissioner to strengthen its cooperation and coordination with relevant entities, including international financial institutions and non-governmental organizations;

14. *Reiterates* the right of all persons to return to their country of origin, emphasizes in this regard the obligation of all States to accept the return of their nationals, calls upon all States to facilitate the return of their nationals who have sought asylum and have been determined not to be in need of international protection, and affirms the need for the return of persons to be undertaken in a humane manner and with full respect for their human rights and dignity, irrespective of the status of the persons concerned;

[7] Resolution 49/59, annex.

15. *Acknowledges* the desirability of comprehensive approaches by the international community, including comprehensive regional approaches, to the problems of refugees and displaced persons, and notes, in this regard, that capacity-building in countries of origin and countries of asylum can play an important role in addressing the root causes of refugee flows, in strengthening emergency preparedness and response and in providing effective protection and achieving durable solutions;

16. *Urges* States, in cooperation with the Office of the High Commissioner and other relevant organizations, to explore and fully support capacity-building initiatives as part of a comprehensive approach to addressing refugee issues and to take necessary measures to promote sustainable development and to ensure the success of capacity-building activities, and reiterates that such initiatives may include those which strengthen legal and judicial institutions and civil society, those which promote the observance of human rights, the rule of law and accountability and those which enhance the capacity of States to fulfil their responsibilities in respect to persons of concern to the Office of the High Commissioner;

17. *Reiterates* its support for the role of the Office of the High Commissioner in providing humanitarian assistance and protection to internally displaced persons on the basis of criteria enumerated in its resolution 53/125, paragraph 16, and underlines the continuing relevance of the Guiding Principles on Internal Displacement;

18. *Calls upon* States to adopt an approach that is sensitive to gender-related concerns and to ensure that women whose claims to refugee status are based upon a well-founded fear of persecution for reasons enumerated in the 1951 Convention and the 1967 Protocol, including persecution through sexual violence or other gender-related persecution, are recognized as refugees, and encourages the Office of the High Commissioner to continue and to strengthen its efforts for the protection of refugee women;

19. *Urges* States and relevant parties to respect and observe principles of international human rights, humanitarian and refugee law that are of particular relevance to safeguarding the rights of child and adolescent refugees, notes the particular vulnerability of refugee children to being forcibly exposed to the risks of injury, exploitation and death, particularly in the context of armed conflict, and to abduction with a view to forcing participation in military activities, and urges all States and concerned parties to take all possible measures to protect child and adolescent refugees, including, in particular, from all forms of violence, exploitation and abuse, forced military service, and to prevent their separation from their families;

20. *Recognizes* the special role of elderly refugees within the refugee family, and, bearing in mind that 1999 has been declared the International Year of Older Persons, calls upon States and the Office of the High Commissioner to make renewed efforts to ensure that the rights, needs and dignity of elderly refugees are fully respected and addressed through appropriate programme activities;

21. *Recalls* that the family is the natural and fundamental group unit of society and is entitled to protection by the society and the State, and calls on States, working in close collaboration with the Office of the High Commissioner and other concerned organizations, to take measures to ensure that the refugee's family is protected, including through measures aimed at reuniting family members separated as a result of refugee flight;

22. *Notes* that forty-eight States are now parties to the 1954 Convention relating to the Status of Stateless Persons and that twenty States are parties to the 1961 Convention on the Reduction of Statelessness, recalls its resolution 50/152 of 21 December 1995, paragraphs 14 to 16, and encourages the High Commissioner to continue her activities on behalf of stateless persons;

23. *Calls upon* Governments and other donors to demonstrate their international solidarity and burden-sharing with countries of asylum, in particular developing countries, countries with economies in transition and countries with limited resources that, owing to their location, host large numbers of refugees and asylum-seekers, stresses the need for the Office of the High Commissioner to be given adequate resources to fulfil its mandated functions, and, in this regard, calls on Governments to contribute generously to the unified annual programme budget of the Office of the High Commissioner, to support efforts to widen the donor base so as to achieve greater burden-sharing among donors and to assist the High Commissioner in securing additional and timely income from traditional governmental sources, other Governments and the private sector to ensure that the needs of persons of concern to the Office of the High Commissioner are fully met.